

C. Remarks

The claims are 1, 7-12, and 18-22 with claims 1 and 12 being independent. Reconsideration of the present claims is respectfully requested.

Claims 1, 7-9, 12 and 18-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Takahashi (JP 04-033470). Claims 10, 11, 21 and 22 stand rejected under 35 U.S.C. §103(a) as being obvious over Takahashi in view of Applicants' described prior art. Applicants respectfully traverse these rejections.

Applicants would like to direct the Examiner's attention to at least one key distinction between Takahashi and the present invention. More specifically, the judging means or judging step of the present invention judges the printing condition based on image data to be printed. In contrast, Takahashi discloses that a printing condition (a type of printing medium) is judged based on a selected signal PS (Fig. 4) that is inputted through an operating section 10 (Fig. 3). The bases for judging printing condition is thus clearly different as between Takahashi and the present invention. Accordingly, the present invention is not anticipated by Takahashi, and Applicants respectfully request withdrawal of the §102 rejection premised upon it.

What is more, Applicants' described prior art does not remedy Takahashi's deficiency. In fact, it is cited by the Examiner merely for its disclosure related to the printing of a test pattern. Applicants' described prior art does not disclose or suggest judgement of a printing condition on the basis of image data to be printed. Accordingly, the present invention is not rendered obvious by the combination of Takahashi and

Applicants' described prior art, and Applicants respectfully request withdrawal of the §103 rejection.

In view of the foregoing remarks, favorable reconsideration and passage to issue is earnestly requested. Should the Examiner believe that issues remain outstanding, the Examiner is respectfully requested to contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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